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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,597	12/28/2000	Ravi Ganesan	23952-0126	4821

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SUTHERLAND ASBILL & BRENNAN LLP
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EXAMINER

HAMILTON, LALITA M

ART UNIT	PAPER NUMBER
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3691

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/749,597	GANESAN ET AL.	
	Examiner	Art Unit	
	Lalita M. Hamilton	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,11-17 and 19-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-9, 11-17, 19-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Request for Continued Examination (RCE)

The RCE filed on January 11, 2007 has been processed. A non-final action follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-9, 11-17, 19-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamm (6,078,907).

Lamm discloses a method and corresponding system for electronically presenting a paying bills comprising receiving, by a payment service provider during an enrollment session over a network, information identifying a network user, information identifying a payment account associated with the network user, and a payment request to execute a payment on behalf of the network user, the network user being not having previously enrolled with unknown to the payment service provider, verifying, by the payment service provider, the received information identifying the network user and the received information identifying the payment account during the enrollment session, receiving or generating, by the payment service provider during the enrollment session,

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a unique user identifier associated with the unknown network user storing, by the payment service provider, the received information identifying the network user and the received information identifying the payment account in association with the received or generated unique user identifier, and if the received information identifying the network user and the received information identifying the payment account are verified, directing, by the payment service provider, a debit from the identified payment account associated with the network user to execute the payment without the payment service provider receiving the unique user identifier from the network user (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the unique user identifier is generated by the payment service provider, transmitting, by the payment service provider during the enrollment session, the generated unique user identifier if the received information is verified, and transmitting, by the payment service provider during the enrollment session, a notice of one of (1) verification of the received information and acceptance of the payment request for execution, and (2) non-verification of the received information and non-acceptance of the payment request for execution (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the generated unique user identifier is transmitted with the notice of verification of the received information and acceptance of the payment request for execution (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the generated unique user identifier is transmitted at one of (1) a time prior to directing the debit, and (2) a time subsequent to directing the debit (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the information identifying the network user, the information identifying the payment account, and the

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payment request are received from one of (t) the network user, and (2) a sponsor which maintains a Web site with which the network user is associated, and the notice is transmitted to at least one of (1) the network user, and (2) the sponsor (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the unique user identifier is an account number used to identify the network user to the payment service provider (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); information identifying a payment account associated with the network user, and a payment request to execute a payment on behalf of the network user and a second network station associated with a payment service provider and configured to (t) receive the transmitted information identifying the network user, the transmitted information identifying the payment account, and the transmitted payment request, the network user being not having previously enrolled with the payment service provider, (2) verify the received information identifying the network user and the received information identifying the payment account during the enrollment session, (3) receive or generate during the communication session a unique user identifier associated with the network user, (4) store the received information identifying the network user and the received information identifying the payment account in association with the received or the generated unique user identifier, and (5) if the received information identifying the network user and the received information identifying the payment account are verified, direct a debit from the payment account associated with the network user to execute the payment without receiving the unique identifier from the network user (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the unique user identifier is generated by the

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second network station, and the second network station is further configured to transmit to the first network station during the communication session, the generated unique user identifier if the received information is verified and transmit to the first network station during the communication session, a notice of one of (i) verification of the received information and acceptance of the payment request for execution, and (2) non-verification of the received information and nonacceptance of the payment request for execution (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); generated unique identifier is transmitted with the notice of verification of the received information and acceptance of the payment request for execution (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the generated unique user identifier is transmitted at one of (1) a time prior to directing the debit, and (2) a time subsequent to directing the debit (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the first network station is associated with one of (1) the network user, and (2) a sponsor which maintains a Web site with which the network user is associated (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); a third network station, wherein the first network station is associated with a sponsor which maintains a Web site with which the network user is associated, wherein the third network station is associated with the network user, and wherein the second network station is further configured to transmit the notice to the third network station (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); the unique identifier is an account number used to identify the network user to the payment service provider (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); verifying the received information identifying the

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payment account includes verifying that the account can be electronically debited; and wherein directing the debit from the identified payment account associated with the network user to execute the payment is dependent at least in part on verifying that the account can be electronically debited (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); prior to directing a debit from the identified payment account associated with the network user, evaluating at least one risk factor relating to the network user to determine acceptable level of risk in accepting payment from the network user and wherein directing the debit from the identified payment account associated with the network user to execute the payment is dependent at least in part on evaluating the at least one risk factor relating to the network user (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5); and the payment request to execute a payment on behalf of the network user is received prior to the information identifying the network user and the information identifying a payment account associated with the network user (col.8, line 55 to col.10, line 11 and col.15, line 10 to col.17, line 5).

Response to Arguments

Applicant's arguments with respect to 1-2, 4-9, 11-17, 19-28 claims have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LALITA M. HAMILTON
PRIMARY EXAMINER